

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ENRICO T. RHODES,)	
)	2:10cv1205
Plaintiff,)	Electronic Mail
)	
v.)	Judge Cercone
)	Magistrate Judge Eddy
MERCER COUNTY, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Enrico T. Rhodes (“Plaintiff”) is a former pre-trial detainee who was held at Mercer County Jail, in Mercer, Pennsylvania. Plaintiff filed the instant civil action pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983, *et seq.*, alleging that Defendants violated his rights under the Fourth, Sixth, Eighth, and Fourteenth Amendments to the Constitution of the United States. Compl. (Doc. 4) at 2. This matter was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrate Judges.

On October 17, 2011, the magistrate judge issued a report and recommendation recommending that this case be dismissed, *sua sponte*, pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B). (Doc. 10). A copy of the report was mailed to Plaintiff at his address of record, and Plaintiff was given until October 31, 2011, to file objections. As of the date of this writing, no objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the report and recommendation (Doc. 10), the following ORDER is entered:

AND NOW, this 2nd day of November, 2011,

IT IS HEREBY ORDERED that this case is DISMISSED, with prejudice.

IT IS FURTHER ORDERED that the magistrate judge's report and recommendation
(Doc. 10) is adopted as the opinion of this Court.

D Stewart Cercone

David Stewart Cercone
United States District Judge

cc: Enrico T. Rhodes
128 Chicago
Youngstown, OH 44507

(Via First Class Mail)